



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Room 029 State Capitol, Denver, CO 80203-1784

Phone: (303) 866-3521 • Fax: (303) 866-3855

lcs.ga@state.co.us • leg.colorado.gov/lcs

Memorandum

November 29, 2022

TO: Members of the Task Force for the Consideration of Facial Recognition Services

FROM: Katie Ruedebusch, Principal Research Analyst, 303-866-3001

SUBJECT: Task Force for the Consideration of Facial Recognition Services Overview

Summary

This memorandum provides information regarding the Task Force for the Consideration of Facial Recognition Services (task force).

Task Force for the Consideration of Facial Recognition Services

The Task Force for the Consideration of Facial Recognition Services was created through [Senate Bill 22-113](#). Pursuant to Section 2-3-1707, C.R.S., the task force must examine the extent to which state and local government agencies are currently using facial recognition services and provide recommendations concerning the extent to which state and local government agencies should be permitted to use facial recognition services. The task force should consider:

- regulation, approval, and procurement of facial recognition services;
- access to data collected by facial recognition services;
- education of the public concerning facial recognition services, including in public schools and institutions of higher education;
- ethical considerations relating to the use of facial recognition services;
- transparency and disclosure requirements concerning how state and local government agencies use facial recognition services;
- the potential abuses and threats posed to civil liberties, freedoms, privacy, and security by the use of facial recognition services;
- the potential impact of the use of facial recognition services on vulnerable communities; and
- how to facilitate and encourage the continued development of facial recognition services so that individuals, businesses, governments, and other institutions can benefit from their use while safeguarding against potential abuses and threats.

Reporting requirements. In addition, by October 1 of each year while the task force continues to meet, the task force must submit a report to the Joint Technology Committee that:

- describes issues to be studied in upcoming task force meetings and prioritization of those issues;
- describes the findings and recommendations regarding issues considered by the task force;
- describes legislative proposals that identify policy issues involved, the agencies responsible for the implementation of the changes, and the funding sources required for implementation;
- includes recommendations concerning the current standards of conduct for the use of facial recognition services by state and local agencies and in schools;
- includes a recommendation of whether the task force's charge should be expanded to include consideration of artificial intelligence other than facial recognition services, or even artificial intelligence itself; and
- recommends whether the membership of the task force should be adjusted.

Task Force Membership and Meeting Requirements

The task force consists of 15 members as follows:

- **Edward Nelson**, designee of the Chief Information Officer (ex officio);
- **Dalia Ritvo**, designee of the Attorney General (ex officio);
- **Chris Andrist**, designee of the Director of the Colorado Bureau of Investigation (ex officio);
- **Christopher Johnson**, representative of the Colorado District Attorney's Council, appointed by the Speaker of the House (2 year initial term);
- **Michael Phibbs**, representative of either the County Sheriffs of Colorado or the Colorado Association of Chiefs of Police, appointed by the President of the Senate (2 year initial term);
- **Rep. Brianna Titone**, appointed by the Speaker of the House (indefinite term as long as remains a Representative);
- **Senator Chris Hansen**, appointed by the President of the Senate (indefinite term as long as remains a Senator);
- **Matt Cook**, representative of local school district boards of education, appointed by the Speaker of the House (2 year initial term);
- **Steve Beaty**, instructor at an institution of higher education who has expert knowledge of, and experience with, facial recognition services technology, appointed by the President of the Senate (2 year initial term);
- **Jake Parker**, business professional who has expert knowledge of, and experience with, facial recognition services products, appointed by the Speaker of the House (2 year initial term);
- **Vacant**: one attorney who has expert knowledge of, and experience with, federal and state laws concerning facial recognition services, appointed by the President of the Senate (4 year initial term);
- **Vacant**: one representative of the Colorado Criminal Defense Bar, appointed by the President of the Senate (4 year initial term);
- **Margot Kaminski**, representative of a consumer protection association, appointed by the President of the Senate (4 year initial term);
- **Anaya Robinson**, representative of a statewide civil liberties organization, appointed by the Speaker of the House (4 year initial term); and

- **Morgan Klaus Scheuerman**, representative of disproportionately impacted communities, appointed by the President of the Senate (4 year initial term).

Chair. The President of the Senate must appoint a member of the task force to serve as the initial chair. Thereafter, the chair must be appointed by July 1 each year, with the Speaker of the House appointing the chair in odd-numbered years and the President of the Senate appointing the chair in even-numbered years.

Meeting requirements. The task force's first meeting must be held by December 1, 2022. The task force must meet at least once every four months.

Repeal. The task force repeals on September 1, 2027. Before September 1, 2027, the task force will undergo a sunset review. After the sunset review process, the task force may be extended.

Annual Report

As discussed above, by October 1 each year, the task force must submit a report to the Joint Technology Committee. More information on the Joint Technology Committee may be found here:

<https://leg.colorado.gov/committees/joint-technology-committee/2022-regular-session>

Task Force Staff and Website

Staff contacts. Legislative Council Staff and the Office of Legislative Legal Services are charged with assisting the task force in its activities. If you have any questions or would like any additional information concerning the task force, please email jtc.ga@coleg.gov. You may also contact any of the following individuals:

- Katie Ruedebusch, Principal Research Analyst, katie.ruedebusch@coleg.gov, 303-866-3518
- Jean Billingsley, Senior Research Analyst, jean.billingsley@coleg.gov, 303-866-2357
- Richard Sweetman, Assistant Director, richard.sweetman@coleg.gov, 303-866-4330
- Jerry Payne, Senior Attorney, jerry.payne@coleg.gov, 303-866-2157
- Jennifer Berman, Managing Senior Attorney and Assistant Team Leader, jennifer.berman@coleg.gov, 303-866-3286

Website. Documents related to the work of the task force, including documents that are distributed during the meetings and meeting summaries, can be found on the task force's webpage:

<https://leg.colorado.gov/content/task-force-consideration-facial-recognition-services>